

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Norlight Telecommunications, Inc. to
Provide Resold and Facilities-Based Local Exchange
and Interexchange Telecommunications Services
Throughout South Carolina

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2008 - 208 - C

(Please type or print)

Submitted by: John J. Pringle, Jr.

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda
expeditiously

☐ Other:

INDUSTRY (Check one)

- ☐ Electric
☐ Electric/Gas
☐ Electric/Telecommunications
☐ Electric/Water
☐ Electric/Water/Telecom.
☐ Electric/Water/Sewer
☐ Gas
☐ Railroad
☐ Sewer
☒ Telecommunications
☐ Transportation
☐ Water
☐ Water/Sewer
☐ Administrative Matter
☐ Other: _____

NATURE OF ACTION (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer | <input checked="" type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

Print Form

Reset Form

ELLIS:LAWHORNE

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June 23, 2008

**FILED ELECTRONICALLY (LETTER AND MOTION ONLY) AND
FINANCIAL STATEMENTS UNDER SEAL VIA U.S. MAIL SERVICE**

The Honorable Charles L.A.. Terreni
Chief Clerk
South Carolina Public Service Commission
PO Drawer 11649
Columbia SC 29211

RE: Application of Norlight Telecommunications, Inc. to Provide Resold and
Facilities-Based Local Exchange and Interexchange
Telecommunications Services Throughout South Carolina
Docket No. 2008-208-C, ELS File No. 1452-11571

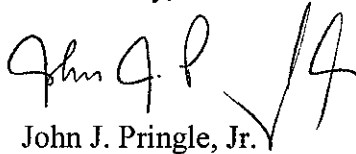
Dear Mr. Terreni:

Enclosed is the **Motion for Protective Treatment and Basis for Filing
Financial Statements as Trade Secret** filed on behalf of Norlight Telecommunications, Inc. in
the above-referenced docket.

If you have any questions or need additional information, please do not hesitate to
contact me.

With kind regards, I am

Yours truly,



John J. Pringle, Jr.

JJP/cr

cc: C. Lessie Hammonds, Esquire (via electronic mail service)
Anthony D. Gillette, Esquire (via electronic mail service)

BEFORE THE
PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
DOCKET NO. 2008-208-C

IN RE:

Application of Norlight
Telecommunications, Inc. to Provide
Resold and Facilities-Based Local
Exchange and Interexchange
Telecommunications Services
Throughout South Carolina

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**MOTION FOR PROTECTIVE
TREATMENT AND
BASIS FOR FILING FINANCIAL
STATEMENTS AS TRADE SECRET**

Norlight Telecommunications, Inc. (hereafter "Applicant"), by and through counsel, and pursuant to S.C. Code Ann. § 39-8-10, *et seq*, and S.C. Code Ann Regs. § 103-804(S)(2), hereby files this Motion for Protective Treatment in the above captioned matter.

More specifically, Applicant hereby requests protective treatment by the South Carolina Public Service Commission ("Commission") of certain commercially-sensitive financial information attached hereto. The aforementioned financial information is being filed as a Trade Secret.

Applicant states the following in support of this Motion:

I. DESCRIPTION OF CONFIDENTIAL INFORMATION

As part of the application process to obtain authority, Applicant is required to disclose documents evidencing its financial ability to provide service. Pursuant to this requirement, Applicant is filing a copy of its financial statements. These documents contain highly confidential and strictly proprietary information, the public disclosure of

which would result in direct, immediate and substantial harm to Applicant's competitive position.

II. BASIS FOR CLAIM OF CONFIDENTIALITY

Pursuant to the South Carolina Trade Secret Act, a "trade secret" is information that (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by the public... and (ii) is the subject of efforts that are reasonable under the circumstance to maintain its secrecy. S.C. Code Ann. § 39-8-20(5)(a).

Accordingly, in light of the foregoing definition, Applicant's financial documents qualify as a trade secret. Applicant is a privately held company whose financial status is not readily available or ascertainable by third parties. Applicant has no obligation to prepare or submit projected financial statements or information to any public entities. The unavailability of this financial information derives independent economic value for the Applicant because its disclosure would harm its ability to compete in a competitive marketplace.

Applicant takes considerable steps to ensure the financial information remains secret. The information is not publicly disclosed or disseminated, and access to it by employees is limited to those with a need to have said information.

Any and all copies of said documents that are filed with a state commission are marked as confidential, and are submitted alongside a formal request or motion that the documents be treated as confidential and a trade secret under applicable state law.

Applicant clarifies that its request for protection applies only to the financial

information attached to this Motion. Applicant is not seeking protection of any type by means of this Motion for those reports Applicant will be required to file with the Office of Regulatory Staff (“ORS”) should the relief sought in the Application be granted: the Annual Report Form, Gross Receipts Report, or the Universal Service Fund Worksheet.

III. CONCLUSION

The financial information for which Applicant is seeking protective treatment is both proprietary and competitively sensitive. The disclosure of Applicant, and its affiliates, financial information would cause a substantial and direct harm to Applicant’s ability to compete. The harm that would be imposed is real and actual, not speculative. Moreover, no other jurisdiction has required Applicant to make its financial information publicly available. Therefore, for the foregoing reasons, the financial information provided by Applicant attached to this Motion should be protected from public disclosure.

WHEREFORE, Applicant requests that the information attached to this Motion be ruled exempt from public disclosure and provided protective treatment as a confidential trade secret in accordance with state law.

Respectfully submitted,

Norlight Telecommunications, Inc.

By: 

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Dated: June 23, 2008
Columbia, South Carolina